

17497 U.S. PTO
10/668400
09/23/03



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

102.166A-1-DIV.

Anticipated Classification of this Application:
Class: 424 Subclass: 196100
Prior Application
Examiner: Teresa Wessendorf
Art Unit: 1639

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing a

[] Continuation

application under 37 CFR 1.60

[X] Divisional

of pending prior Application Serial No. 09/405,986

Filed on: September 27, 1999 Of: Sylvie Bay et al

For: MULTIPLE ANTIGEN GLYCOPEPTIDE CARBOHYDRATE VACCINE
COMPRISING THE SAME AND USE THEREOF

1. [X] Enclosed is a copy of the prior application, including the oath or declaration as originally filed and an affidavit of declaration verifying it as a true copy. (See 8 and 8a for drawing requirements.)
2. [] Prepare a copy of the prior application.
3. [X] The filing fee is calculated below:

**CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS
CANCELLED BY AMENDMENT BELOW**

	<u>Number Filed</u>	<u>Number Filed</u>	<u>Rate</u>	<u>Basic Fee</u>
Total Claims	<u>21</u>	Excess of 20 <u>1</u>	x \$18.00	\$750.00 <u>18.00</u>
Independent Claims	<u>2</u>	Excess or 3 <u>0</u>	x \$84.00	<u>0</u>
Multiple dependent claims	[] Yes	\$280.00	[X] No	
				<u>0</u>
				<u>\$768.00</u>

4. [X] The Asst. Commissioner is hereby authorized to charge any fees which may be required, or to credit any overpayment to Account No. 02-2275. A duplicate copy of this sheet is enclosed.

[X] I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail No. EL 992576153JS in an envelope addressed to the Asst. Commissioner for Patents, Washington, D.C. 20231 on September 22, 2003.

Dated: September 22, 2003


Charles A. Muserlian, #19,683

5. [X] PTO Form 2038 in the amount of \$768.00 is enclosed.
6. [X] Cancel in this application original claims 2 to 42 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).
7. [] Amend the specification by inserting before the first line in the sentence:
This is a [] Continuation, [] Division of Serial No _____
this application.
8. [] Transfer the drawings from the prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used before payment of base issue fee.)
- 8a. [X] New formal drawings are enclosed.
- 8b. [X] Priority of application Serial No. PCT/EP98/01922 Filed: March 27,
1998 in PCT is claimed under 35 USC 119.
- 8c. [X] The certified copy has been filed in WIPO
9. [X] The prior application is assigned of record to INSTITUT PASTEUR
10. [X] The power of attorney in the prior application is to any one of the following:
Jordan B. Bierman, Reg. No. 18,629; Charles A. Muserlian, Reg. No. 19,683;
Donald C. Lucas, Reg. No. 31,275; all of 600 Third Avenue, New York, NY
10016; Registration No. 18,818; its attorneys to file this Declaration with full
power of substitution and revocation and to transact all business in the Patent

Office connected therewith.

- a. The power appears in the original papers of the prior application.
- b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. Recognize as associate attorney and address all future communications to:

Charles A. Muserlian, Reg. No. 19,683
c/o Muserlian, Lucas and Mercanti
600 Third Avenue
New York, NY 10016

- 11. A Preliminary Amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claims in the prior application.)
- 12. I hereby verify that the attached papers are a true copy of prior application Serial No. 09/405,986 as originally filed on September 27, 1999.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Date: September 23, 2003



Charles A. Muserlian
Registration No. 19,683

Muserlian, Lucas and Mercanti
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New York, NY 10016

Our Ref.: 102.166A-1-DIV.

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Date of Deposit September 22, 2003

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Charles A. Muserlian, Reg. No. 19,683